



## **601.00 Standards of Conduct**

Number Series: 600 - Corrections Division

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### **601.00-1 Knowledge of Laws and Rules**

All Hendry County Sheriff's Office certified Correctional Officers, herein known as certified Detention Deputies, and non-certified support staff, shall acquire and maintain a working knowledge of the rules, orders, policies and directives of the Hendry County Sheriff's Office and *Florida Statutes* that are applicable to their duty performance, which include but are not limited to the following:

- I. Chapter 951, *Florida Statutes*
- II. Applicable directives of the *HCSO Standard Operations Procedure Manual*
- III. *Corrections Division Policy & Procedure Manual*

### **601.00-2 Supervisory Responsibility**

Supervisors are responsible for ensuring HCSO Corrections Division members are informed of HCSO policy and procedural changes, as well as Corrections Division policy and procedural changes, and changes to Florida law. Revisions should be read and explained to staff during shift briefing, specifically addressed with the staff member, or accomplished by individual memorandum.

### **601.00-3 Discretion**

In the performance of duty, members may be called upon to make difficult decisions. Discretion in situations must be exercised where rights and liberties are affected by the member's conduct and judgment. Members must remain faithful to the code of ethics, oath of office, and the objectives of the HCSO. In the discharge of duty, members must not allow personal motives to govern decisions and conduct. Specific rules of conduct cannot be established that will govern every action or behavior. Any act or failure to act contrary to good order, discipline, and moral practices may subject a HCSO member to disciplinary action.

### **601.00-4 Conduct Unbecoming a Member of the HCSO**

A member of the HCSO is a conspicuous representative of government. To the majority of the public, he or she is a symbol of stability and reliability. Each member's conduct is scrutinized and, when actions are found to be excessive, unwarranted, or unjustified, criticism is far more

severe than for comparable conduct of persons in other fields of endeavor. The conduct of a HCSO member, on and off duty, reflects upon the HCSO; therefore, members must avoid conduct that might discredit themselves or the HCSO. Members shall conduct their private and professional life in such a manner as to avoid an adverse reflection upon themselves or the HCSO.

#### **601.00-5      Respect for Constitutional Rights**

The task of determining the constitutionality of a statute lies within a court of proper jurisdiction. A member who lawfully acts within the scope of his or her authority does not deprive persons of their civil liberties. When a member exceeds his or her authority by unreasonable conduct, the member violates the law he or she is obliged to uphold.

#### **601.00-6      Courtesy**

Effective public service depends on a high degree of cooperation between HCSO and the public. The majority of the public are law-abiding citizens who expect fair and courteous treatment. While the urgency of a situation or time pressures might preclude customary social amenities, discourtesy under any circumstances is indefensible. The practice of courtesy is consistent with firmness, fairness, and impartiality that characterize a professional.

#### **601.00-7      Security of HCSO Business**

HCSO Corrections Division members **shall not**:

- I. Reveal the contents of any official documents, records, or reports except as authorized by the Jail Administrator, or designee, or established procedures.
- II. Alter, forge, or tamper with any booking reports, police reports, citations, or any other HCSO documents.
- III. Communicate any information of an internal nature that concerns HCSO activities, or HCSO members to persons outside the organization without authorization.

#### **601.00-8      Use of Force**

- I. HCSO Detention Deputies, in the performance of their duties, may use necessary responses to protect others or themselves from bodily harm and to maintain order and security. Detention Deputies may be confronted with situations in which control must be exercised to maintain personal and facility security. Control may be achieved or maintained through advice, warning, persuasion, or by physical force when all reasonable alternatives have been exhausted or ruled inappropriate under the circumstances.
- II. HCSO Detention Deputies **shall not** apply physical force to an inmate except and only to the degree that is reasonably necessary in self-defense, to prevent escape, to prevent injury to a person or to property, to quell a disturbance, or when the inmate exercises resistance to a lawful command.
  - A. In such cases, a written and signed report of response to resistance used shall be completed by the member involved. The report shall be forwarded to the Officer-in-

- Charge, who shall cause an investigation to be conducted, and shall approve or disapprove the force used.
- B. If the Deputy involved is the Officer-in-Charge, it shall be sufficient for the Deputy to complete the report of response to resistance used and forward the report to his/her supervisor.
- C. **See Section 607.06 paragraph 3 for report writing requirements.**
- III. All Reports of Use of Force shall be retained in permanent files, maintained by the Jail Administrator.

#### **601.00-9 Firearms**

- I. Detention Deputies shall not carry a firearm on duty unless required by the nature of their duty assignment, and shall adhere to all rules and regulations established by HCSO for the use and qualification for the use of firearms as stated in the *HCSO SOP Manual*.
- II. HCSO certified Detention Deputies, as described in Chapter 943, Florida Statutes, are authorized to carry and use a concealed firearm when off-duty.
- III. **See *HCSO SOP Manual*, for complete instructions and restrictions regarding carrying of firearms on and off duty.**
- IV. Detention Deputies assigned to or appearing in court shall not wear weapons, except upon request of the trial judge, magistrate, HCSO Bailiff Supervisor, or the Jail Administrator or designee.

#### **601.00-10 General Rules and Regulations Pertaining to Inmate Supervision**

- I. Each HCSO member's conduct shall at all times be consistent with the maintenance of proper security of the facility and the welfare of the inmates under his or her supervision.
- II. Members shall not:
- A. Report to duty or exercise supervision or control over inmates while under the influence of an intoxicant.
- B. Report for duty or exercise supervision or control over inmates while under the influence of a narcotic, barbiturate, hallucinogenic drug, or central nervous stimulant. Exception will be made only when such medication has been prescribed and is taken under a physician's care and if it does not impair the member from carrying out assigned duties.
- C. Use profane or abusive language in supervising inmates.
- D. Abuse an inmate in any manner.
- E. Trade, barter with, or accept anything of value from an inmate, friends of an inmate, or an inmate's family, except as authorized by the Officer-in-Charge.
- F. Introduce into or remove from the property of a HCSO Jail facility any article without authorization from the Officer-in-Charge.

- G. Recommend or furnish any legal advice or any other advice concerning the selection of a specific lawyer or bondsman to an inmate.
  - 1. If requested by an inmate, a directory or list of names of all area lawyers or bondsmen should be made available for the inmate's use.
  - 2. Specific legal advice shall not be given to inmates by Corrections staff members.
- H. Carry any firearm, ammunition, chemical device, or other security devices into the secure area of a HCSO Jail facility except in emergencies or as authorized by the Officer-in-Charge.
- I. Have keys to any area of the facility which are not authorized or have not been issued to the member by an authorized staff member.
- J. Fail to search inmates thoroughly.
- K. Fail to collect and identify any contraband found on inmates or in the inmate housing areas.
- L. Discuss internal HCSO problems or criticize fellow Deputies, staff members, or the administration in the presence of inmates.
- III. Corrections staff shall make a complete written report to the Officer-in-Charge on all unusual incidents that occur during a tour of duty, to include but not limited to the following:
  - A. Assault by an inmate on a staff member or another inmate.
  - B. Any occasion in which a Detention Deputy discharges firearms, uses a chemical device or physical force on an inmate.
  - C. Attempts by inmates to bribe a staff member.
  - D. Escapes or attempted escapes.
  - E. Death, serious illness or injury of inmate or staff.
  - F. Strikes, riots, and other disturbances.
  - G. Facility emergency situations.
- IV. No supervisor or other member shall knowingly permit any subordinate, inmate, or other person to commit any act or engage in any conduct which would violate these rules and regulations.
- V. Written reports and investigations of staff or inmates as set forth above in paragraph "III" shall be maintained on file in Jail Administration.

#### **601.00-11 General Duty Responsibilities**

- I. All HCSO Corrections Division members shall comply with the lawful orders of supervisors and other proper authorities, and will be responsible for the security, safety, health and such other matters that affect the inmate population.
- II. Members assigned to specialized sections or special details are not exempt from initiating action or assisting in actions outside the scope of their assignment when necessary.
- III. Members shall report for duty at the time and place designated, properly attired and equipped for assumption of assigned duty. Failure to do so may be deemed neglect of duty.

- IV. Except in emergencies, members shall not leave a post or assignment without having been properly relieved. In such situations, the member will cause his or her supervisor to be notified as soon as possible. In any case, inmates will not be left unsupervised.
- V. Members shall not engage in the following activities during regular duty hours:
  - A. Sleeping (unless authorized), loafing, or idling.
  - B. Recreational reading, except at meals and in such a manner so as not to bring discredit to a professional image.
  - C. Private business or personal transactions.
  - D. Carrying any articles or wearing articles of attire which distract from the proper performance of duty or professional image.
- VI. Members who possess information concerning illegal actions, dereliction of duty, malfeasance, misfeasance, nonfeasance or unprofessional conduct of another (HCSO member or otherwise), shall report same to an appropriate supervisor.
- VII. Members **shall not** communicate, directly or indirectly, in any manner or form, information that may enable persons under arrest for or guilty of criminal acts to escape arrest or punishment, or which may permit such persons to dispose or secrete any money, goods, or other tangible or intangible valuables unlawfully obtained.
- VIII. Members are required to take appropriate action to aid a fellow HCSO member who is exposed to impending danger, and to take appropriate action to protect inmates.
- IX. Members **shall not** deliver anything whatsoever into or out of a HCSO facility for the use or convenience of inmates in custody without permission from the Officer-in-Charge.
- X. Members shall cooperate with all criminal justice system agencies, Hendry County agencies, and other public service organizations, and give aid and information consistent with HCSO procedures. Members shall cooperate in inter and intra office activities to achieve effective criminal justice system administration.
- XI. Members shall treat supervisors, and subordinates and associates with respect. When on duty, particularly in the presence of others, members will address fellow members by their rank or title or Mr., Mrs., Ms., or Miss as appropriate.
- XII. Members receiving an order from a supervisor contrary to established policies and procedures are responsible to inform the supervisor (in a professional manner) of the conflict. Members can be held legally liable for knowingly carrying out an order known to be a violation of policy, procedure, or law. If the conflict remains unresolved, members shall follow the chain of command, when possible for resolution. When extenuating circumstances prohibit implementation of the chain of command, the member should request the supervisor issue the order in writing.

#### **601.00-12 General Staff Conduct**

HCSO Corrections Division members shall:

- I. Read all HCSO orders, memoranda, announcements and notices posted on official bulletin boards or conveyed through official channels.

- II. Give a complete and truthful statement upon request by appropriate authority when conducting an investigation to determine the validity of a complaint against HCSO members for standards of conduct violations.
- III. Maintain a telephone at his or her residence or furnish a telephone number where the member can be contacted. Personal telephone numbers shall be considered confidential and will not be disclosed to the public without permission of the concerned member.
- IV. Report in writing within 24 hours any change of address, telephone number, marital status, and person to be notified in the event of an emergency to his or her immediate supervisor, and to the Human Resources Division.
- V. Possess a current and valid State of Florida Driver's License.
- VI. Promptly report to the appropriate supervisor knowledge of the death, serious injury, or illness of another member or a member's immediate family.
- VII. Submit a properly completed "Leave Request Form" for all absences.
- VIII. Have the right to exercise grievance procedures when, in the member's opinion, he or she has been treated unfairly by a superior or a contemporary.
- IX. Not bring or retain any intoxicating beverage or illicit drugs on HCSO premises or in HCSO vehicles.
- X. Not willfully misrepresent or falsify any matter verbally or in writing.
- XI. Not publicly criticize the HCSO, its policies, or other members by speaking or writing in any manner that is defamatory, obscene, unlawful, or that tends to interfere and undermine the operation of the HCSO.
- XII. Not officially endorse or subscribe to any testimonial or advertisement of any commodity or commercial enterprise, nor permit the use of title, rank or position, HCSO affiliation or photograph, unless approved by the Sheriff.
- XIII. Not suggest, recommend, or otherwise promote the services of any person with whom they have contact as the result of HCSO business.
- XIV. Not deliver public addresses nor make statements for publication concerning the plans, policies, or affairs of the administration of the HCSO, except when authorized by the Sheriff, his designee, or the Jail Administrator.
- XV. While in uniform, not enter any premises where intoxicants are manufactured, stored, shipped, or sold except to consume food or non-alcoholic beverages in a licensed hotel or restaurant, nor shall members purchase any alcoholic beverage.
- XVI. Not participate in any form of legal gambling while in uniform, and shall not participate in illegal games of chance or engage in illegal gambling, whether on or off duty.

#### **601.00-13      Illness or Injury**

- I. The First Report of Injury form will be prepared by the injured staff member's supervisor in each case of a job related injury and turned in to the Jail Administrator or designee as soon as possible.
- II. A member shall not feign illness or injury.
  - A. If injured or ill, the member shall remain at his or her residence, except to consult a physician, attend a medical facility, or obtain prescribed medication.
  - B. If convalescence is to be at a location other than the member's residence, the member will notify his or her immediate supervisor.

- III. A member who is unable to report for scheduled work will notify or cause to be notified the appropriate supervisor stating the reason and expected date and time of return. Notification shall be accomplished as early as possible prior to duty assignment. Absence of four (4) days or more requires a physician's statement.

#### **601.00-14 Outside Employment**

- I. Members who desire to engage in outside employment must secure permission from the Jail Administrator or designee prior to sending the yearly required memo to the sheriff and before accepting such employment.
- II. Requests shall not be considered or approved should the nature of the position tend to bring discredit to the HCSO, be considered detrimental to the best interests of the HCSO, or constitute a conflict of interest; i.e. bondsman, private investigator.
- III. Certified Detention Deputies are prohibited from engaging in off-duty employment where alcoholic beverages are sold in accordance with Section 562.25 (1), Florida Statutes.

#### **601.00-15 Solicitation or Acceptance of Gifts, Gratuities, Fees or Loans**

HCSO Corrections Division members shall not:

- I. Solicit, or accept directly or indirectly any gift, gratuity, fee, loan, or any other item of value that arises from or is offered as a result of appointment to the HCSO.
- II. Solicit the aid of any individual or group outside the HCSO for assistance in procurement of an internal transfer, duty assignment, or promotion.
- III. Accept any gift, gratuity, or other consideration for services rendered in the line of duty, except lawful salary and that which otherwise might be authorized by law, however, a member may accept a reward with the written approval of the Sheriff.
- IV. Accept any valuable gift, whether in the form of a service, loan, thing of value, or a promise from any person, firm, or corporation that to the member's knowledge is interested directly or indirectly in any manner whatsoever in business transactions with the HCSO.
- V. Accept any gift, favor, or thing of value that may tend to influence the member in the discharge of his or her duties or, grant in the discharge of duties any improper favor, service, or thing of value.
- VI. Directly or indirectly, seek publicity or notoriety via the press, radio, or television.

#### **601.00-16 Unauthorized Transactions, Services, and Affiliations**

HCSO Corrections Division members shall not:

- I. Engage in business transactions with suspects, defendants or inmates, except as authorized by the Sheriff or his designee.
- II. Have any services performed by inmates for his/her personal use.
- III. Affiliate with or become a member of any organization, if such affiliation or membership will in any way interfere with or prevent performance of duty.
- IV. Knowingly associate with any persons or organizations that advocate or foster hatred, oppression, or persecution of any person or group, except in the line of duty.
- V. Knowingly associate with persons engaged in, allegedly engaged in, or have a prior history or engaging in unlawful activities, except in the discharge of his or her HCSO duties.

#### **601.00-17 Legal Proceedings**

- I. Members will not testify at a trial or other legal formality unless under subpoena or having obtained the expressed approval of the Jail Administrator or designee.
- II. Member's attendance in court or other judicial hearing as required by subpoena is an official duty assignment. Permission to omit this duty must be obtained from the Assistant State Attorney handling the case or other competent court officials.
- III. Members shall be diligent and thorough in the preparation of cases for court by proper execution of the advisory forms, analysis of the facts, preservation of evidence, and thorough review of proposed testimony.
- IV. Any member named as a co-defendant in legal actions against the HCSO shall respond to deposition proceedings at the request of the attorney defending the agency without the benefit of subpoena service.
- V. Members will not execute a written or signed statement to a defendant or defense attorney in a criminal proceeding, or to a plaintiff or plaintiff's attorney in a civil proceeding in which the HCSO is involved unless approval is obtained by the attorney representing the HCSO in a civil proceeding, or the State's Attorney's Office in a criminal proceeding.

#### **601.00-18 Resignation Procedures**

- I. Separation from the HCSO should be accomplished by the submission of a written resignation letter, addressed to the sheriff, through the chain of command from the member at least two (2) weeks prior to the effective date.
- II. Members separating from the HCSO shall return all issued uniforms, uniform accessories, equipment and issued HCSO manual(s), and HCSO identification prior to release of their final pay.

#### **601.00-19 Performance Evaluations**

- I. Permanent status members shall be evaluated annually.



- II. Probationary members shall be evaluated at least quarterly throughout the probation period.
- III. Evaluations shall be accomplished by the member's immediate supervisor.

**601.00-20 Commendations**

- I. The Sheriff expects a high level of performance and conduct from members of the HCSO. However, on some occasions, members perform in a manner exceeding the standards of the HCSO.
- II. An official commendation of superior duty performance and the arrangement for appropriate recognition may be provided by the HCSO. Application for commendation may be made by the member's supervisor as established by HCSO Directives.

**601.00-21 Discipline**

- I. HCSO has the responsibility to seek out and discipline those whose conduct discredits the Sheriff's Office or impairs its effective operations.
- II. The rights of the member and the public must be preserved, and any investigation or hearing arising from a complaint shall be conducted in an open and fair manner with truth being the primary objective.
- III. Allegations of improper conduct directed against a member shall be investigated to accomplish the following:
  - A. Afford protection against false accusations.
  - B. Instill confidence in each member that, while proper performance of duty is mandatory, due recognition of the member's rights will be assured.
  - C. Provide the means whereby complaints that involve a member will be evaluated and appropriate action initiated.
- IV. Members are subject to disciplinary action for the commission of any act that is prohibited and for non-compliance with any activity that is required. Disciplinary action may be administered as follows:
  - A. Formal counseling, oral or written by supervisor;
  - B. Written reprimand by supervisor;
  - C. Suspension with pay by supervisor with approval of the Sheriff;
  - D. Suspension without pay by the Sheriff;
  - E. Demotion by the Sheriff;
  - F. Termination of appointment by the Sheriff.

**601.00-22 Emergency Suspension**

- I. When it is in the best interest of HCSO, an emergency suspension with pay can be made until the next business day when the Jail Administrator or designee will be notified.
- II. The members listed below have the authority to impose emergency suspensions:
  - A. Jail Administrator or higher-ranking officer
  - B. Corrections Division Lieutenant

- C. Shift Supervisor
- D. Acting Shift Supervisor
- III. The Shift Supervisor or Acting Shift Supervisor initiating the suspension with pay or disciplinary action will forward a written report through the chain of command to the Jail Administrator detailing the circumstances and the measures taken.

## **601.00-23 Special Duty Details**

HCSO does not contract with private entities for special duty security services that would require the services of Certified Detention Deputies. Therefore, certified Detention Deputies are not permitted to engage in special duty details (unless the member also possesses concurrent, or dual, certification in law enforcement and complies with all other policy and requirements of law.).

## **REFERENCES**

### **State/Federal Regulations:**

Ch. 943, Fla. Stat.  
§ 562.25 (1), Fla. Stat.

### **FCAC:**

N/A

### **PREA:**

N/A

### **Forms:**

First Report of Injury

### **Other Policy/ Procedure References:**

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